

### **REMARKS**

Claims 25-48 are rejected. Claims 1-48 are canceled. New claims 49-55 have been added. Claims 49-55 are now pending. Reconsideration is respectfully requested in view of the following remarks.

#### **I. Claim Rejections Under 35 U.S.C. 102(b):**

Claims 25 and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Kim et al., (Journal of Dairy Science (1983), vol. 66, pp. 959-966).

Claims 25 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Onwulata (Am. J. Clin. Nutr. (1989), vol. 49, pp. 1233-1237).

Claims 25-28, 32 and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Martini et al. (Am. J. Clin. Nutr. (1991), vol. 53, pp. 1253-1258).

Without conceding the validity of these rejections, and solely in the interests of expediting prosecution, claims 25-48 have been canceled, rendering the rejection moot.

#### **II. Claim Rejections Under 35 U.S.C. 103(a):**

Claims 25 and 34-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (Journal of Dairy Science (1983), vol. 66, pp. 959-966).

Claims 25, 29-31, and 34-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Onwulata et al. (Am. J. Clin. Nutr. (1989), vol. 49, pp. 1233-1237).

Without conceding the validity of these rejections, and solely in the interests of expediting prosecution, claims 25-48 have been canceled, rendering the rejection moot.

#### **III. Allowable Subject Matter:**

With this amendment, new claim 49-55 are presented for consideration. These claims have been drafted by the Examiner, and the Examiner has stated that claims 49-55 are "considered to distinguish patentably over the art of record in this application." Thus, the Applicant respectfully requests allowance of these claims.

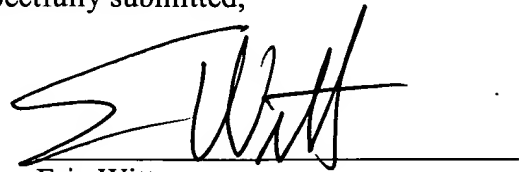
**CONCLUSION**

In light of the remarks set forth above, Applicant believes that he is entitled to a letters patent. Applicant respectfully solicits the Examiner to expedite the prosecution of this patent application to issuance. Should the Examiner have any questions, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,

Date: JULY 22, 2005

By:

A handwritten signature in black ink, appearing to read 'Eric Witt', is written over a horizontal line.

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